

1 UNITED STATES DISTRICT COURT FOR THE  
2 WESTERN DISTRICT OF PENNSYLVANIA

3 Shane Lee Shepler, )

4 *Plaintiff,* )

5 v. )

6 Diraimo, et al., )

7 *Defendants.* )  
8 )  
9 )

C.A. No. 14-286 Erie

ORDER ADOPTING THE REPORT  
AND RECOMMENDATION OF  
MAGISTRATE JUDGE BAXTER

10 The Magistrate Judge issued a Report and Recommendation in this matter, recommending  
11 that this Court dismiss this case on the grounds that Plaintiff has failed to prosecute his claims.  
12 The record demonstrates that Plaintiff failed to attend a court hearing and failed to respond to an  
13 order to show cause. After reviewing the Report and Recommendation, the record, and all other  
14 materials before the Court and finding no objection, it is hereby ordered that:  
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- 16 (1) The Report and Recommendation is adopted;  
17 (2) Plaintiff's Complaint shall be DISMISSED for failure to prosecute; and  
18 (3) The Clerk of the Court shall send copies of this Order to Plaintiff.

19 **IT IS SO ORDERED.**

20 DATED this 2<sup>nd</sup> day of May 2016.  
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BARBARA J. ROTHSTEIN  
24 UNITED STATES DISTRICT JUDGE  
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